

**TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE**



FISCAL NOTE

HB 66 - SB 97

February 27, 2009

SUMMARY OF BILL: Eliminates the requirement for a court to dismiss a petition for divorce or legal separation if all of the required information is not included within the petition unless the court is satisfied that the information could not be obtained through due diligence exercised by the petitioner.

ESTIMATED FISCAL IMPACT:

**Decrease State Revenue – Not Significant
Decrease State Expenditures – Not Significant**

**Decrease Local Revenue – Not Significant
Decrease Local Expenditures – Not Significant**

Other Fiscal Impact – The Department of Human Services could be in jeopardy of losing federal funds in the amount of \$45,655,600 in FY09-10 if the provisions of the bill result in non-compliance with federal law. The amount of federal funds lost will gradually increase each year the state continues to be non-compliant.

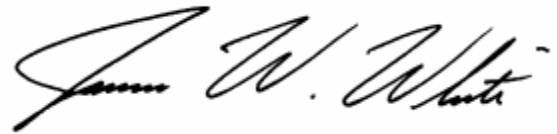
Assumptions:

- According to the Administrative Office of the Courts, cases dismissed under the current provision are most commonly re-filed upon the discovery of any missing information that resulted in dismissal. It is assumed that any decrease in caseloads will not result in a significant decrease in expenditures or revenues of the state and local courts.
- According to the Department of Human Services (DHS), 42 USC § 666(a)(13)(B) requires the social security number of any individual who is subject to a divorce decree, support order, or paternity determination or acknowledgement be placed in the records relating to the matter. DHS could be in jeopardy of losing \$41,395,600 in Title IV-D federal matching funds of the Child Support Enforcement program due to non-compliance with information required in the record prior to the entry of the order of divorce or legal separation. Also, this could result in the

state being assessed penalties against the state's block grant for the Families First program of approximately \$4,260,000 in the first year (two percent of the \$213,000,000 block grant).

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, reading "James W. White". The signature is fluid and cursive, with the first name "James" and last name "White" clearly legible, and "W." in the middle.

James W. White, Executive Director

/kml